

April 5, 1984

LB 801

SENATOR BEUTLER: Okay, likewise, Senator Barrett, where there is no real estate agent involved but you have a lender involved, perhaps the second mortgage situation on a property, and the lender at the request of the agent applies for title insurance, that also is...the lender would not be an insurance agent under the definitions of this bill, that would not be your intent, would it?

SENATOR BARRETT: That is correct. That was not my intent.

SENATOR BEUTLER: Senator Barrett, thank you. In addition, Mr. Speaker, I do have a letter from the Department of Insurance who along with Senator Barrett and his staff worked on the bill, and I would like to read two relevant paragraphs of that into the record. Mr. John Grant, General Counsel for the Department of Insurance, in response to my letter said, "You have questioned whether the definition of insurance agent contained in LB 801 would require a real estate agent who arranges title insurance for a client to also be licensed as an insurance agent. While the definition contained in LB 801 is broad, it is my opinion that the real estate agent need not be licensed as an insurance agent in the above situation." He went on to say, "Of course, the real estate agent could not receive a commission on the title insurance unless licensed as an insurance agent and should allow the prospective purchaser an option to choose the title insurance company if the purchaser so desires." With that, Mr. Speaker...Madam Speaker, I thank you for the time and I withdraw the amendment.

SENATOR KILGARIN: The amendment is withdrawn. Mr. Clerk, would you please read the bill.

SENATOR VICKERS: (Read LB 801 on Final Reading.)

SENATOR KILGARIN: Thank you, Assistant Clerk. All provisions of law relative to procedure having been complied with, the question is, shall the bill pass? Those in favor vote aye. Those opposed vote nay. Voting aye, Mr. Clerk.